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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION	) MDL Docket No. 06-1791 VRW
	)
This Document Relates Solely To:	) **DECLARATION OF SHAYANA KADIDAL IN SUPPORT OF MOTION PURSUANT TO 50 U.S.C. § 1806(f) TO DISCOVER OR OBTAIN MATERIAL RELATING TO ELECTRONIC SURVEILLANCE**
Al-Haramain Islamic Foundation, Inc., et al. v. Bush, et al. (C07-CV-0109-VRW)	)
AL-HARAMAIN ISLAMIC FOUNDATION, INC., et al.,	) Date: Tuesday, December 2, 2008
	) Time: 10:00 a.m.
	) Court: Courtroom 6, 17th Floor
	) Honorable Vaughn R. Walker

Dockets.Justia.com

Plaintiffs,)
vs.)
)
GEORGE W. BUSH, President of the United States, et al.,)
)
)
Defendants.)
)

I, Shayana Kadidal, declare as follows:

1. I am an attorney with the Center for Constitutional Rights ("CCR") in New York, and am senior managing attorney of CCR's Guantanamo Global Justice Initiative. I am also plaintiffs' counsel in *Center for Constitutional Rights v. Bush,* No. 07-1115, which is one of the many cases coordinated in the above-captioned multidistrict litigation, *In re National Security Agency Telecommunications Records Litigation*, MDL Docket No. 06-1791 VRW. Like *Al-Haramain Islamic Foundation, Inc., et al. v. Bush, et al., CCR v. Bush* challenges President Bush's warrantless surveillance program.

2. As managing attorney of the Guantanamo Global Justice Initiative, I litigate cases against the United States Government on behalf of individuals detained at Guantanamo Bay, Cuba.

3. In connection with our Guantanamo litigation, I currently hold a Top Secret/Sensitive Compartmented Information (TS//SCI) clearance. My clearance investigation was run by the FBI and adjudicated by the Court Security Office. My understanding is that the FBI began its investigation around the week of December 10, 2007 (although the formal application was submitted a few weeks earlier), and I was briefed and read into the compartment around January 29, 2008, although I was informed that the investigatory process was complete a week before the latter date. Based on those dates, it appears to have taken the government approximately six weeks to process my application from the time the clearance investigation began until it was complete, notwithstanding the intervening holidays.

4. Two other attorneys and one paralegal at CCR also have security clearances at this level.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed this 26th day of September, 2008.

Shayana Kadidal